



01-26-05

Attorney's Docket No.: 17102-010001 / 1759

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ault Riche et al.
Serial No. : 10/699,114
Filed : October 30, 2003
Conf. No. : 7825
Title : SYSTEMS FOR CAPTURE AND ANALYSIS OF BIOLOGICAL
PARTICLES AND METHODS USING THE SYSTEMS

Art Unit : 1645
Examiner : Unknown
Cust. No. : 20985

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement and Forms PTO-1449 (1) page for filing in connection with the above-identified application. Because this Supplemental Information Disclosure Statement is filed prior to receipt of a first office action on the merits in the above-referenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 06-1050, as stated below:



The Commissioner is hereby authorized to charge any fees that may be due in connection with this paper or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

Stephanie L. Seidman
Reg. No. 33,779

Attorney Docket No. 17102-010001 / 1759
Address all correspondence to:
Stephanie L. Seidman
Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Facsimile: (202) 626-7796
email: seidman@fr.com

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
"Express Mail" Mailing Label Number EV 399318458 US
Date of Deposit January 24, 2005
I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

Stephanie L. Seidman



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ault Riche et al.
Serial No. : 10/699,114
Filed : October 30, 2003
Conf. No. : 7825
Title : SYSTEMS FOR CAPTURE AND ANALYSIS OF BIOLOGICAL PARTICLES
AND METHODS USING THE SYSTEMS

Art Unit : 1645
Examiner : Unknown
Cust. No. : 20985

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN
ACCORDANCE WITH 37 C.F.R. §§1.97-1.98**

Dear Sir:

Because this Supplemental Information Disclosure Statement is before receipt of a first Office Action on the Merits of the above-captioned application, no fee is enclosed. If it is determined that a fee is due, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Form PTO-1449 (1 page) is provided herewith in connection with the above-captioned application.

The documents listed on the Form PTO-1449 are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed item is necessary.

Applicant also makes known to the Examiner the following related, co-pending applications:

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
"Express Mail" Mailing Label Number EV 399318458 US
Date of Deposit January 24, 2005
I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office; P.O. Box 1450, Alexandria, VA, 22313-1450.

Stephanie L. Seidman

U.S.S.N.	Filing Date	Docket No.	Publ. No.
09/910,120	07/18/01	1751	20020137053
10/341,226	12/27/02	1751B	20030143612
10/351,891	1/24/03	1753	20040048311
10/699,088	10/30/03	1754	20040209282
10/699,113	10/30/03	1755	20040241748
10/806,924	3/22/04	1760	n/a
Unassigned	1/10/05	1762	n/a
60/557,591	3/29/04	P1762B	n/a

Int'l Appln. No.	Filing Date	Docket No.	Publ. No.
PCT/US03/34821	10/30/03	1754PC	WO2004039962
PCT/US03/34747	10/30/03	1755PC	WO2004071641
PCT/US03/34693	10/30/03	1759PC	WO2004042019
Unassigned	1/10/05	1762PC	n/a

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references is effective as prior art against the subject application. In accordance with 37 C.F.R. 1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. 1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and make them of record in the file history of the above-captioned application.

Respectfully submitted,

Stephanie L. Seidman
Reg. No. 33,779

Attorney Docket No. 17102-010001 / 1759

Address all correspondence to:

Stephanie L. Seidman
Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Facsimile: (202) 626-7796
email: seidman@fr.com



Substitute Form PTO 1449 (Modified) List of Patents and Publications for Applicant's Information Disclosure Statement (37 CFR §1.98(b))	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 17102-010001 / 1759	Application No. 10/699,114
	Applicant Ault Riche et al.		
	Filing Date October 30, 2003	Group Art Unit 1645	

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	5,639,603	6/17/1997	Dower <i>et al.</i>	435	436	11/2/1993
	AB	6,197,599	3/6/2001	Chin <i>et al.</i>	436	518	7/30/1998

Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
		none						

Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
		none

Examiner Signature	Date Considered
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	